

REMARKS

In response to the Office Action dated November 13, 2006, Applicant respectfully requests reconsideration based on the above claim amendment and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Applicants appreciate the Examiner's careful examination of the present application.

Applicants hereby incorporate herein by reference the observations and arguments presented in Applicants' Response dated October 26, 2006.

Status of the Claims

Claims 1, 2, 4, 6-16, 19-30, 32, 34-44, 47-58, 60, 62-72, and 75-85 are now pending in the present application following the foregoing amendments. Claims 1, 2, 4, 6-16, 18-30, 32, 34-44, 46-58, 60, 62-72, and 74-85 stand rejected under Section 103 as being unpatentable over Items U1-X7 cited in the PTO-892 (collectively referred to herein as "Superpages") in view of U.S. Patent No. 6,374,241 to Lamburt et al. (Lamburt).

The Rejections under Section 103

Claim 1 as amended recites:

1. A method for receiving an order for a listing of a business in a business directory, the method comprising:
 - providing a Web site accessible by a customer;
 - displaying at the Web site a list of multiple, individually selectable available optional listing enhancements;
 - soliciting at the Web site a selection by the customer of one or more of the optional listing enhancements;
 - receiving an enhancement request from the customer via the Web site to include in the listing of the business in the business directory at least one optional listing enhancement from the list of available optional listing enhancements, whereby the customer configures a customized business listing;
 - generating a customized price quote for the customized business listing, wherein the step of generating the customized price quote includes calculating the customized price quote

based on features requested by the customer to be included in the customized business listing;

displaying at the Web site the customized price quote for the customized business listing to the customer; and
receiving an order request from the customer via the Web site to place an order for the customized business listing in the business directory, including the at least one optional listing enhancement requested by the customer.

Regarding Claim 1 as presented prior to the present amendments, the Action acknowledges:

Superpages however does not disclose displaying multiple individually selectable optional listing enhancements, soliciting at the website a selection by the customer of one or more of the optional listing enhancements, generating a customized price quote for the customized business listing, and displaying the customized price quote for the customized business listing at the website to the customer.

However, the Action contends:

Lambert teaches a) providing a business directory, b) soliciting orders for listings in a business directory, c) providing a website accessible by customers, d) displaying listing options and enhancements available to customers for enhancing their business listings, and e) displaying price quotes for customized business listings. Lambert further teaches displaying multiple individually selectable optional listing enhancements, soliciting at the website a selection by the customer of one or more of the optional listing enhancements, generating a customized price quote for the customized business listing, and displaying the customized price quote for the customized business listing at the website to the customer (see at least figs. 16-22, column 10 lines 45-53, column 54 lines 33-53).

Applicants respectfully submit that Lambert does not in fact teach the recited steps as claimed. The Web pages illustrated in **Figures 16-17** of Lambert only provide descriptions of enhancements and “click here” hotlinks “For more information and samples”. The web pages illustrated in **Figures 16-17** of Lambert also provide “Order” hotlinks, but Lambert provides no indication as to what occurs when the “Order” links are selected.

While Lamburt apparently displays prices for certain features, there is no indication that Lamburt permits a customer to configure a customized business listing and receives an order request from the customer via the Web site to place an order for the customized business listing in the business directory as claimed. The claimed aspects are not necessarily evidenced by the provision of the "Order" hotlinks. For example, Superpages Items U3 and W4 similarly list "Platinum Link", "Gold Link", "Silver Link", "Basic Link", and various web site options with purported prices for each, but then provide text/links "Click here for Options to Order and to contact us for pricing" (emphasis added). Item U2 (the apparent main Web page for the "Advertise with Us" menu option) recites "Options to Order Now Include: A. Online Inquiry... B. Phone... C. Contact Your Local Verizon Sales Rep...." (See Item U2 at page 2). It appears that selecting "Click here" in Item U3 or Item W4 provides this options listing and, based on the map listed at the top of Item V3, it appears that the Web page of Item V3 is provided in response to selection of the "Online Inquiry" option. Item V3, however, only provides a form for the customer to fill in and submit to Verizon to request that Verizon call the customer or mail the customer more information. Thus, Superpages does not appear to contemplate enabling the customer to order a listing including such an optional hotlink or web site enhancement at the Web site. Likewise, if in fact Superpages and Lamburt are closely related as the Action contends, it seems likely that the "Order" link of **Figures 16-17** of Lamburt would provide only the same limited options as the "Click here" links of Item U3 of Superpages and would not enable a customer to order the enhanced listing via the Web site. Traditionally, listing enhancements have been offered to customers through direct interactions or negotiations with sales representatives of the business directory offeror. Thus, it may be expected that the only ordering options for listing enhancements would require interfacing with a sales representative.

Moreover, there is no indication that Lamburt calculates a customized price quote based on features to be included in the customer's customized business listing and displays the customized price quote at the Web site as claimed. No calculation of a price quote is evident from the Superpages or Lamburt. The only pricing information displayed in Figures

16-17 of Lamburt is for a given feature or a Web site¹, not a customized price quote that is calculated for the particular business listing configured and ordered by the customer. The Action does not appear to address this deficiency of Superpages and it does not appear that Lamburt in any manner cures the deficiency.

In view of the foregoing, Applicant respectfully submits that Claim 1 as amended is allowable over the cited art. Claims 2, 4, 6-16, 19-28, and 85 depend from Claim 1 as amended and are therefore allowable as well for at least these reasons.

Claim 29 (system for receiving an order for a listing of a business in a business directory) and Claim 57 (computer program product for receiving an order for a listing of a business in a business directory) have been amended similarly to Claim 1 and are distinguishable from the cited art for the reasons set forth above. Claims 30, 32, 34-44, and 47-56 depend from Claim 29 and Claims 58, 60, 62-72, and 75-84 depend from Claim 57, respectively, and these claims are therefore allowable as well for at least these reasons.

At least certain of the dependent claims are further patentably distinguishable from the cited art. Claim 16 as amended depends from Claim 1 and further recites "displaying at the Web site a solicitation for billing information from the customer; and receiving billing information from the customer via the Web site." The Action contends that Item V3 discloses this step. Responsive to Applicants' earlier observation that the Web page of Item V3 is only configured to receive contact information to enable contact by an agent, the Action contends:

The prior art displays a solicitation for and receiving of information identifying the customer. Applicant argues that the information is merely contact information rather than billing information. A comparison of the information fields in the reference (see at least V3 p.1) with those in the present application's Figure 11 shows that the fields are virtually identical. The information in the prior art would also ultimately be used for billing purposes. Applicant argues that the two types of information "are not necessarily the same." The continuing discussion regarding whether the information is exactly the same or slightly different makes very clear that the essential nature of the information has no functional bearing on the

¹ In fact, in view of Items U3 and W4 of Superpages (which state "Click here... to contact us for pricing information"), it is not clear whether the listed prices are firm prices or merely illustrative.

steps performed in the method. The customer's identifying information, whether it is called contact information or billing information, is descriptive material and is not functionally involved in the recited steps of the method. Because it has no functional role in the method it is non-functional descriptive material.

Applicants respectfully disagree. While customer inquirer contact information received via Item V3 may coincidentally be the same as the customer's intended billing information, it very often will not be. Many, if not most, businesses use separate addresses or addressees such as an address of an accounting department or bookkeeper for receiving bills (*i.e.*, invoices). The person who provides her contact information (via Superpages Web page V3) merely for the purpose of inquiring about or ordering a business directory listing likely does not want or expect the monthly invoice to be directed to her attention. If, as the Action contends, "[t]he information in the prior art would also ultimately be used for billing purposes" as a matter of course, the business directory offeror would likely experience frequent customer requests to change billing addresses (and, probably, frequent complaints). Therefore, the difference in the essential nature of the information solicited via Item V3 (*i.e.*, customer inquirer's contact information) and the information solicited in accordance with Claim 16 (*i.e.*, customer's billing information) is significant and has a direct and important functional bearing on the steps performed.

Claims 24, 44, 52, 72 and 80 include the same or similar recitations as Claim 16 and are therefore further distinguishable from the cited art for these reasons as well.

In re: Wealthy Desai .
Serial No.: 10/624,325
Filed: July 22, 2003
Page 24 of 24

CONCLUSION

Applicant respectfully submits that this application is now in condition for allowance, which action is requested. Should the Examiner have any matters outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,



David D. Beatty
Registration No. 38,071
Attorney for Applicant

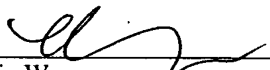
USPTO Customer No. 39072
Myers Bigel Sibley & Sajovec, P.A.
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

CERTIFICATE OF EXPRESS MAIL

Express Mail Label Number: EV869968440US

Date of Deposit: May 10, 2007

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Katie Wu